



Story available at http://billingsgazette.net/articles/2007/03/29/news/state/52-gunrights_s.txt

Published on Thursday, March 29, 2007.
Last modified on 3/28/2007 at 11:52 pm

Paxinos rips rationale of gun rights bill

By The Associated Press

HELENA - A well-known prosecutor trashed a proposed gun rights bill, saying Wednesday that supporters are using deceit to push the politically charged measure.

The Republican-backed bill aims to make it easier for Montanans to defend themselves with deadly force - but it's been wrapped up in partisan politics ever since the state Republican Party used it as the centerpiece of an attack ad earlier this month against Democrats. It cleared the House and is now before the Senate.

Yellowstone County Attorney Dennis Paxinos told the Senate Judiciary Committee that an argument used to get the bill out of the House is built on a false self-defense claim.

Supporters had been pointing to a case in Billings where they said a woman who felt threatened was charged with a crime for simply brandishing a gun at a man who came to her door. They said the case is evidence that people are being charged with felonies just for protecting themselves.

Paxinos said the woman, Krystal Keithley, was actually a meth addict. She knew the man at the door was a maintenance man, but she decided to "go nutso" anyway and threaten to shoot him after he twice knocked on her door asking that she move a car.

He said the proposed gun rights bill gives new rights to criminals and will make it harder for prosecutors to charge criminals who would try to assert a new self-defense right under the measure.

"I don't think we should be here saying the Krystal Keithleys of Montana should be causing harm to the Joe Blow maintenance people," Paxinos said. "How (arguments supporting the bill) could be so warped and misconstrued, you are going to have to ask yourself that."

Gary Marbut, head of the Montana Shooting Sports Association, said he originally advanced the Keithley case as a reason for the bill based on information from Carbon County Attorney Bob Eddleman. Eddleman told The Associated Press on Wednesday that he had only secondhand information on the case and had told Marbut that he doesn't really know the details.

Marbut said he has stopped using the argument as a reason the bill should adopted now that Paxinos has disputed characterization of the events.

Marbut still strongly believes the new gun rights bill is needed, in particular to make sure it is OK for people to brandish a gun to defray a potential conflict and to put more burden on prosecutors to disprove claims of self-defense.

"Laws should be clear so that people don't have to operate in the gray area," Marbut said.

The panel did not take immediate action on the bill, but it could do so as early as today.

Sponsor Rep. Jack Wells, R-Bozeman, has offered to work with county attorneys and law enforcement agencies who oppose the bill. He said supporters are mainstream Montanans who want to clear up gun laws.

"I don't think we are renegades at all; we're patriots," Wells said. "We are good Americans, and all we want is our rights maintained."

Paxinos said the measure would let people shoot each other for a number of reasons, free of prosecution.

"This is the make-my-day bill," he said.

He said the right of people to protect themselves is already "beyond question" in Montana law.

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